

AFFIDAVIT

I, John P. Armstrong, being duly sworn under oath, depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. Your Affiant is a Special Agent (SA) for the United States Department of Homeland Security (DHS), Homeland Security Investigations (HSI), and have been so employed since March of 2023. HSI is the primary investigative arm of DHS. Your Affiant is currently assigned to the Resident Agent in Charge (RAC) office in Minot, North Dakota. Your Affiant has undergone twenty-six (26) weeks of training in relation to numerous investigative authorities allotted to HSI at the Federal Law Enforcement Training Center (FLETC), to include but not limited to, drug trafficking, money laundering, child sexual abuse material (CSAM), and immigration. Your Affiant has a Bachelor of Arts degree in Philosophy from Texas A&M University.

SUMMARY DESCRIPTION

2. This Affidavit is submitted in support of a Criminal Complaint for Edgar VELASQUEZ-CABRERA, charging Edgar VELASQUEZ-CABRERA with Illegal Reentry After Removal, in violation of 8 U.S.C. § 1326(a)(1). The statements in this Affidavit pertain to the investigation described below and are based on your Affiant's own investigation and experience, and the investigation and experience of other law enforcement officers and agencies. This Affidavit does not purport to contain all the facts related to this investigation, but only those facts necessary to establish probable cause with respect to the aforementioned offense.

PROBABLE CAUSE

3. On October 05, 2018, Edgar VELASQUEZ-CABRERA was arrested by the Williston Police Department (WPD) in Williston, North Dakota for Driving Under the Influence (DUI) in violation of City Ordinance 10-12. Edgar VELASQUEZ-CABRERA pled guilty to DUI

and was released. Edgar VELASQUEZ-CABRERA was later charged with Contempt of Court in violation of City Ordinance 738, for failing to appear as scheduled after bonding out of jail.

4. On March 02, 2020, Edgar VELASQUEZ-CABRERA was arrested by WPD and charged with Operating a Motor Vehicle with a License Suspended, Leaving the Scene of an Accident, and Operating a Motor Vehicle with a BAC .08 or higher. On February 15, 2025, Edgar VELASQUEZ-CABRERA was arrested by WPD for two counts of Contempt of Court. On April 07, 2025, Edgar VELASQUEZ-CABRERA pled guilty to the above charges and was sentenced to 10 days of confinement to begin on May 08, 2025.

5. On May 18, 2025, Edgar VELASQUEZ-CABRERA was arrested by Enforcement and Removal Operations (ERO) Deportation Officer Dustin Plummer for immigration violations. ERO DO Plummer conducted a fingerprint verification and queried immigration databases for Edgar VELASQUEZ-CABRERA. ERO DO Plummer confirmed that Edgar VELASQUEZ-CABRERA is a citizen and national of Guatemala with no permission to live, work, or reside, legally, in the United States. Edgar VELASQUEZ-CABRERA also stated that he is a citizen and national of Guatemala with no permission to live, work, or reside, legally, in the United States. Edgar VELASQUEZ-CABRERA also admitted to being previously removed from the United States and illegally re-entering. Your Affiant was not able to locate any record of Edgar VELASQUEZ-CABRERA applying for, or being granted, permission to re-enter the United States by the Attorney General or by his successor. Edgar VELASQUEZ-CABRERA admitted to never applying for permission to re-enter the United States by the Attorney General or by his successor or any immigration benefits. ERO DO Plummer determined that Edgar VELASQUEZ-CABRERA had been previously removed from the United States in 2020.

a. On October 05, 2018, Edgar VELASQUEZ-CABRERA was convicted in immigration court with violation of INA212a6Ai: Alien Present Without Admission or Parole. Edgar VELASQUEZ-CABRERA was allowed to bond out and was not deported at that time. Edgar VELASQUEZ-CABRERA was removed April 30, 2020, Edgar VELASQUEZ-CABRERA was ordered removed by an immigration judge. On September 14, 2020 Edgar VELASQUEZ-CABRERA was removed from the United States via Alexandria, Louisiana.

6. Edgar VELASQUEZ-CABRERA was advised of his right to consular notification. Edgar VELASQUEZ-CABRERA declined the opportunity to contact the consulate. Edgar VELASQUEZ-CABRERA is currently in ERO custody being held at Burleigh Morton Detention Center.

CONCLUSION

7. Based on my training and experience, and the foregoing facts, I believe there is probable cause that Edgar VELASQUEZ-CABRERA is in the United States illegally following prior removal, in violation of 8 U.S.C. § 1326(a)(1) (Illegal Reentry After Removal).

8. I swear that the facts presented herein are true and accurate to the best of my knowledge and belief.

Warrant Request

9. Based on the above-mentioned information, I respectfully request this Court to issue an arrest warrant for Edgar VELASQUEZ-CABRERA.

Respectfully submitted,
JOHN P
ARMSTRONG
Digitally signed by
JOHN P. ARMSTRONG
Date: 2025.05.29
10:16:41 -05'00'

John P. Armstrong
Special Agent
Homeland Security Investigations

~~Subscribed and~~ sworn to before me on this 29th day of May, 2025, by telephone, with the
Affiant being in Minot, North Dakota.



Alice R. Senchal
United States Magistrate Judge